

Application No.: 10/757,746  
Filing Date: January 15, 2004  
Page: 2

### **Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### **Listing of Claims:**

1. (Currently Amended) A biaxially oriented polyester film which has a base layer (B) and comprises at least one overlayer (A), wherein the base layer (B) comprises poly(m-xylenedipamide) and said overlayer (A) exhibits a gloss of greater than 100.

2. (Original) The polyester film as claimed in claim 1, wherein the base layer (B) ~~comprises from 4 to 50% by weight of poly(m-xylenedipamide), based on the weight of the base~~ layer (B).

3. (Original) The polyester film as claimed in claim 1, wherein not only the base layer (B) but also the overlayer (A) comprises poly(m-xylenedipamide).

4. (Original) The polyester film as claimed in claim 3, wherein the overlayer (A) comprises from 0.1 to 20% by weight of poly(m-xylenedipamide), based on the weight of the overlayer (A).

5. (Original) The polyester film as claimed in claim 1, wherein the melt viscosity of the poly(m-xylenedipamide) is smaller than 2000 poises.

6. (Currently Amended) The polyester film as claimed in claim 1, wherein the base layer (B) further comprises thermoplastic polyester[[.]] ~~preferably at least 50% by weight thereof.~~

Application No.: 10/757,746  
Filing Date: January 15, 2004  
Page: 3

7. (Original) The polyester film as claimed in claim 6, wherein the thermoplastic polyester of the base layer (B) has at least one of either ethylene glycol units and terephthalic acid units, or ethylene glycol units and naphthalene-2,6-dicarboxylic acid units.

8. (Original) The polyester film as claimed in claim 6, wherein the polyester of the base layer (B) has isophthalic acid units, terephthalic acid units, and ethylene glycol units.

9. (Original) The polyester film as claimed in claim 6, wherein polyethylene terephthalate is used as polyester of the base layer (B).

10. (Original) The polyester film as claimed in claim 1, which has an A-B-C layer structure, A and C being overlayers which may be identical or different.

11. (Original) The polyester film as claimed in claim 6, wherein the overlayers comprise the polyester used for the base layer (B).

12. (Canceled) Please cancel Claim 12.

13. (Original) The polyester film as claimed in claim 1, which has an oxygen transmission (OTR) smaller than  $50 \text{ cm}^3 \cdot \text{m}^{-2} \cdot \text{d}^{-1} \cdot \text{bar}^{-1}$ .

14. (Original) The polyester film as claimed in claim 1, which has an opacity smaller than 20%.

15. (Original) The polyester film as claimed in claim 1, wherein the overlayer (A) has an average roughness  $R_a$  smaller than 100 nm.

Application No.: 10/757,746  
Filing Date: January 15, 2004  
Page: 4

16. (Currently Amended) The polyester film as claimed in claim 1, wherein the overlayer (A) further comprises filler and the filler concentration in the overlayer (A) is ~~from 0 to~~ less than 0.5% by weight.

17. (Original) A process for producing a polyester film as claimed in claim 1, encompassing the steps of

- a) producing a multilayer film by coextrusion and shaping the melts to give flat melt films
- b) biaxial stretching of the film, and
- c) heat-setting of the stretched film.

18. (Original) Packaging film comprising polyester film as claimed in claim 1.

19. (New) A polyester film according to Claim 1, wherein said overlayer (A) does not include poly(m-xylenedipamide).

20. (New) A polyester film according to Claim 1, wherein the base layer (B) consists essentially of polyester, poly(m-xylenedipamide) and at least one additive selected from one or more stabilizers and one or more antiblocking agents.